## Appendix B: History of Management for Fishery Management Plans of the South Atlantic Region Amended through CE-BA 2

The following is a summary of management actions for plans amended through Comprehensive Ecosystem-Based Amendment 2 (Coral, Snapper Grouper, Coastal Migratory Pelagics, and *Sargassum*). Other summaries of Council actions and history of management for other Fishery Management Plans are available online at www.safmc.net.

### The Fishery Management Plan for Coral, Coral Reefs, and Live/Hardbottom Habitat of the South Atlantic Region

Management of coral resources was originally established with the joint Gulf of Mexico and South Atlantic Coral Fishery Management Plan (FMP) (GMFMC & SAFMC 1982). The FMP's intent was to optimize the benefits generated from the coral resource while conserving the coral and coral reefs. Specific management objectives addressed through the FMP were to: (1) develop scientific information necessary to determine feasibility and advisability of harvest of coral; (2) minimize, as appropriate, adverse human impacts on coral and coral reefs; (3) provide, where appropriate, special management for Coral Habitat Areas of Particular Concern (CHAPCs); (4) increase public awareness of the importance and sensitivity of coral and coral reefs; and (5) provide a coordinated management regime for the conservation of coral and coral reefs.

The FMP implemented the following management measures for coral and coral reefs:
(1) disallowed any level of foreign fishing and established the domestic annual harvest to equal the Optimum Yield (OY); (2) prohibited the taking of stony corals and sea fans or the destruction of these corals and coral reefs anywhere in the EEZ of the Gulf and South Atlantic Councils' area of jurisdiction; (3) established that stony corals and sea fans taken incidentally in other fisheries must be returned to the water in the general area of capture as soon as possible (with the exception of the groundfish, scallop, or other similar fisheries where the entire unsorted catch is landed, in which case stony corals and sea fans may be landed but not sold); (4) established that the Councils may notify the Secretary of the threat of widespread or localized depletion from overharvest of one or more species of octocorals and recommend specific actions; (5) established a permit system for the use of chemicals for the taking of fish or other organisms that inhabit coral reefs; (6) established a permit system for taking prohibited corals for scientific and educational purposes; and (7) identified Habitat Areas of Particular Concern and established time and area restrictions in Habitat Areas of Particular Concern.

**Amendment 1** (GMFMC & SAFMC 1990) implemented the following regulations:
(1) included octocorals in the management unit as a controlled species; (2) implemented a combined octocoral quota for the Gulf of Mexico and South Atlantic EEZ of 50,000 individual colonies; (3) stated the Optimum Yield (OY) for coral reefs, stony corals, and sea fans to be zero; (4) included a definition of overfishing; (5) established a permit system to take octocorals; (6) provided reporting requirements for those taking corals under federal permit; (7) included a section on vessel safety considerations; and (8) revised the section on habitat.

**Amendment 2** (GMFMC & SAFMC 1994) included the following regulations: (1) defined live rock and added it to the Coral FMP management unit (live rock is defined as living marine

organisms or an assemblage thereof attached to a hard substrate including dead coral or rock); (2) redefined allowable octocorals to mean erect, non-encrusting species of the subclass Octocorallia, except the prohibited sea fans, including only the substrate covered by and within one inch of the holdfast; (3) revised management measures to address bycatch of octocorals; (4) provided for different management in the jurisdictional areas of the two Councils by promulgating a separate set of management measures and regulations for the South Atlantic; (5) prohibited all wild live rock harvest north of Dade County, Florida, and prohibited chipping throughout the jurisdiction of the South Atlantic Council; (6) capped harvest of wild live rock to 485,000 pounds annually until January 1, 1996 when all wild live rock harvest was prohibited; (7) allowed and facilitated aquaculture of live rock in the EEZ and required live rock harvest federal permits; and (8) required a federal permit for harvest and possession of prohibited corals and prohibited live rock from the EEZ for scientific, educational, and restoration purposes.

**Amendment 3** (SAFMC 1995a) implemented the following: (1) established a live rock aquaculture permit system for the South Atlantic EEZ; (2) prohibited octocoral harvest north of Cape Canaveral to prevent expansion of the fishery to areas where octocorals constitute a more significant portion of the live/hardbottom habitat; and (3) prohibited anchoring of all fishing vessels in the Oculina Bank Habitat Area of Particular Concern (HAPC).

**Amendment 4/EIS** to the South Atlantic Coral FMP, included in the Comprehensive EFH Amendment (SAFMC 1998b) expanded the Oculina Bank HAPC to an area bounded to the west by 80°W., to the north by 28°30'N., to the south by 27°30'N., and to the east by the 100 fathom (600 feet) depth contour. Amendment 4 expanded the Oculina Bank HAPC to include the area closed to rock shrimp harvest. The expanded Oculina Bank HAPC is 60 nautical miles long by about 5 nautical miles wide although the width tracks the 100 fathom (600 foot) depth contour rather than a longitude line. Within the expanded Oculina Bank HAPC area, no person may:

1. Use a bottom longline, bottom trawl, dredge, pot, or trap.
2. If aboard a fishing vessel, anchor, use an anchor and chain, or use a grapple and chain.
3. Fish for rock shrimp or possess rock shrimp in or from the area on board a fishing vessel.

**Amendment 5** to the Coral FMP included in the Comprehensive SFA Amendment (SAFMC 1998c) extended the OY definition to include harvest allowances under live rock aquaculture permits.

**Amendment 6** to the Coral FMP established deepwater Coral HAPCs (CHAPCs), created a "Shrimp Fishery Access Area" within the proposed Stetson-Miami Terrace CHAPC and created "Allowable Golden Crab Fishing Areas" within the proposed Stetson-Miami Terrace and Pourtalés Terrace CHAPCs.

**The South Atlantic Fishery Ecosystem Plan and Ecosystem-Based Management**

The Council, working with many other partners, has developed a Fishery Ecosystem Plan (FEP) which identifies and describes the current suite of knowledge on many parameters in the South Atlantic ecosystem. It is the Council's intent to use the information in the FEP to evaluate the biological, economic, and social conditions in the South Atlantic ecosystem. By reviewing the information on a regional basis the Council would be able to evaluate the impacts of future

proposed actions across multiple fisheries, thus facilitating development of management regulations that could apply across FMPs.

**History of Management of the South Atlantic Snapper Grouper Fishery**
The snapper grouper fishery is highly regulated; some of the species included in this amendment have been regulated since 1983. The following table summarizes actions in each of the amendments to the original FMP, as well as some events not covered in amendment actions.

**Table1-2. History of Management for the Snapper Grouper Fishery of the South Atlantic Region.**

| Document | All Actions Effective By: | Proposed Rule Final Rule | Major Actions. Note that not all details are provided here. Please refer to Proposed and Final Rules for all impacts of listed documents. |
|---|---|---|---|
| FMP (1983) | 08/31/83 | PR: 48 FR 26843<br>FR: 48 FR 39463 | -12" limit – red snapper, yellowtail snapper, red grouper, Nassau grouper<br>-8" limit – black sea bass<br>-4" trawl mesh size<br>-Gear limitations – poisons, explosives, fish traps, trawls<br>-Designated modified habitats or artificial reefs as Special Management Zones (SMZs) |
| Regulatory Amendment #1 (1986) | 03/27/87 | PR: 51 FR 43937<br>FR: 52 FR 9864 | -Prohibited fishing in SMZs except with hand-held hook-and-line and spearfishing gear<br>-Prohibited harvest of goliath grouper in SMZs. |
| Amendment #1 (1988) | 01/12/89 | PR: 53 FR 42985<br>FR: 54 FR 1720 | -Prohibited trawl gear to harvest fish south of Cape Hatteras, NC and north of Cape Canaveral, FL<br>-Directed fishery defined as vessel with trawl gear and ≥200 lbs s-g on board<br>-Established rebuttable assumption that vessel with s-g on board had harvested such fish in EEZ |
| Regulatory Amendment #2 (1988) | 03/30/89 | PR: 53 FR 32412<br>FR: 54 FR 8342 | -Established 2 artificial reefs off Ft. Pierce, FL as SMZs |
| Notice of Control Date | 09/24/90 | 55 FR 39039 | -Anyone entering federal wreckfish fishery in the EEZ off S. Atlantic states after 09/24/90 was not assured of future access if limited entry program developed |
| Regulatory Amendment #3 (1989) | 11/02/90 | PR: 55 FR 28066<br>FR: 55 FR 40394 | -Established artificial reef at Key Biscayne, FL as SMZ. Fish trapping, bottom longlining, spear fishing, and harvesting of Goliath grouper prohibited in SMZ |

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| Amendment #2 (1990) | 10/30/90 | PR: 55 FR 31406<br>FR: 55 FR 46213 | -Prohibited harvest/possession of goliath grouper in or from the EEZ<br>-Defined overfishing for goliath grouper and other species |
| Emergency Rule | 8/3/90 | 55 FR 32257 | -Added wreckfish to the FMU<br>-Fishing year beginning 4/16/90<br>-Commercial quota of 2 million pounds<br>-Commercial trip limit of 10,000 pounds per trip |
| Fishery Closure Notice | 8/8/90 | 55 FR 32635 | - Fishery closed because the commercial quota of 2 million pounds was reached |
| Emergency Rule Extension | 11/1/90 | 55 FR 40181 | -Extended the measures implemented via emergency rule on 8/3/90 |
| Amendment #3 (1990) | 01/31/91 | PR: 55 FR 39023<br>FR: 56 FR 2443 | -Added wreckfish to the FMU;<br>-Defined optimum yield and overfishing<br>-Required permit to fish for, land or sell wreckfish;<br>-Required catch and effort reports from selected, permitted vessels;<br>-Established control date of 03/28/90;<br>-Established a fishing year for wreckfish starting April 16;<br>-Established a process to set annual quota, with initial quota of 2 million pounds; provisions for closure;<br>-Established 10,000 pound trip limit;<br>-Established a spawning season closure for wreckfish from January 15 to April 15; and<br>-Provided for annual adjustments of wreckfish management measures; |
| Notice of Control Date | 07/30/91 | 56 FR 36052 | -Anyone entering federal snapper grouper fishery (other than for wreckfish) in the EEZ off S. Atlantic states after 07/30/91 was not assured of future access if limited entry program developed |

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| Amendment #4 (1991) | 01/01/92 | PR: 56 FR 29922<br>FR: 56 FR 56016 | -Prohibited gear: fish traps except black sea bass traps north of Cape Canaveral, FL; entanglement nets; longline gear inside 50 fathoms; bottom longlines to harvest wreckfish**; powerheads and bangsticks in designated SMZs off S. Carolina<br>-defined overfishing/overfished and established rebuilding timeframe: red snapper and groupers ≤ 15 years (year 1 = 1991); other snappers, greater amberjack, black sea bass, red porgy ≤ 10 years (year 1 = 1991)<br>-Required permits (commercial & for-hire) and specified data collection regulations<br>-Established an assessment group and annual adjustment procedure (framework)<br>-Permit, gear, and vessel id requirements specified for black sea bass traps<br>-No retention of snapper grouper spp. caught in other fisheries with gear prohibited in snapper grouper fishery if captured snapper grouper had no bag limit or harvest was prohibited. If had a bag limit, could retain only the bag limit<br>-8" limit – lane snapper<br>-10" limit – vermilion snapper (recreational only)<br>-12" limit – red porgy, vermilion snapper (commercial only), gray, yellowtail, mutton, schoolmaster, queen, blackfin, cubera, dog, mahogany, and silk snappers<br>-20" limit – red snapper, gag, and red, black, scamp, yellowfin, and yellowmouth groupers<br>-28" FL limit – greater amberjack (recreational only)<br>-36" FL or 28" core length – greater amberjack (commercial only)<br>-bag limits – 10 vermilion snapper, 3 greater amberjack<br>-aggregate snapper bag limit – 10/person/day, excluding vermilion snapper and allowing no more than 2 red snappers<br>-aggregate grouper bag limit – 5/person/day, excluding Nassau and goliath grouper, for which no retention (recreational & commercial) is allowed<br>-spawning season closure – commercial harvest greater amberjack > 3 fish bag prohibited in April south of Cape Canaveral, FL<br>-spawning season closure – commercial harvest mutton snapper >snapper aggregate prohibited during May and June |

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| Amendment #5 (1991) | 04/06/92 | PR: 56 FR 57302<br>FR: 57 FR 7886 | -Wreckfish: established limited entry system with ITQs; required dealer to have permit; rescinded 10,000 lb. trip limit; required off-loading between 8 am and 5 pm; reduced occasions when 24-hour advance notice of offloading required for off-loading; established procedure for initial distribution of percentage shares of TAC |
| Emergency Rule | 8/31/92 | 57 FR 39365 | -Black Sea Bass (bsb): modified definition of bsb pot; allowed multi-gear trips for bsb; allowed retention of incidentally-caught fish on bsb trips |
| Emergency Rule Extension | 11/30/92 | 57 FR 56522 | -Black Sea Bass: modified definition of bsb pot; allowed multi-gear trips for bsb; allowed retention of incidentally-caught fish on bsb trips |
| Regulatory Amendment #4 (1992) | 07/06/93 | FR: 58 FR 36155 | -Black Sea Bass: modified definition of bsb pot; allowed multi-gear trips for bsb; allowed retention of incidentally-caught fish on bsb trips |
| Regulatory Amendment #5 (1992) | 07/31/93 | PR: 58 FR 13732<br>FR: 58 FR 35895 | -Established 8 SMZs off S. Carolina, where only hand-held, hook-and-line gear and spearfishing (excluding powerheads) was allowed |
| Amendment #6 (1993) | 07/27/94 | PR: 59 FR 9721<br>FR: 59 FR 27242 | -commercial quotas for snowy grouper, golden tilefish<br>-commercial trip limits for snowy grouper, golden tilefish, speckled hind, and warsaw grouper<br>-include golden tilefish in grouper recreational aggregate bag limits<br>-prohibited sale of warsaw grouper and speckled hind<br>-100% logbook coverage upon renewal of permit<br>-creation of the *Oculina* Experimental Closed Area<br>-data collection needs specified for evaluation of possible future IFQ system |

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| Amendment #7 (1994) | 01/23/95 | PR: 59 FR 47833<br>FR: 59 FR 66270 | -12" FL – hogfish<br>-16" TL – mutton snapper<br>-required dealer, charter and headboat federal permits<br>-allowed sale under specified conditions<br>-specified allowable gear and made allowance for experimental gear<br>-allowed multi-gear trips in N. Carolina<br>-added localized overfishing to list of problems and objectives<br>-adjusted bag limit and crew specs. for charter and head boats<br>-modified management unit for scup to apply south of Cape Hatteras, NC<br>-modified framework procedure |
| Regulatory Amendment #6 (1994) | 05/22/95 | PR: 60 FR 8620<br>FR: 60 FR 19683 | Established actions which applied only to EEZ off Atlantic coast of FL: Bag limits – 5 hogfish/person/day (recreational only), 2 cubera snapper/person/day > 30" TL; 12" TL – gray triggerfish |
| Notice of Control Date | 04/23/97 | 62 FR 22995 | -Anyone entering federal bsb pot fishery off S. Atlantic states after 04/23/97 was not assured of future access if limited entry program developed |
| Amendment #8 (1997) | 12/14/98 | PR: 63 FR 1813<br>FR: 63 FR 38298 | -established program to limit initial eligibility for snapper grouper fishery: Must demonstrate landings of any species in SG FMU in 1993, 1994, 1995 or 1996; and have held valid SG permit between 02/11/96 and 02/11/97<br>-granted transferable permit with unlimited landings if vessel landed ≥ 1,000 lbs. of snapper grouper spp. in any of the years<br>-granted non-transferable permit with 225 lb. trip limit to all other vessels<br>-modified problems, objectives, OY, and overfishing definitions<br>-expanded Council's habitat responsibility<br>-allowed retention of snapper grouper spp. in excess of bag limit on permitted vessel with a single bait net or cast nets on board<br>-allowed permitted vessels to possess filleted fish harvested in the Bahamas under certain conditions |

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| Regulatory Amendment #7 (1998) | 01/29/99 | PR: 63 FR 43656<br>FR: 63 FR 71793 | -Established 10 SMZs at artificial reefs off South Carolina |
| Interim Rule Request | 1/16/98 | | -Council requested all Amendment 9 measures except black sea bass pot construction changes be implemented as an interim request under MSA |
| Action Suspended | 5/14/98 | | -NMFS informed the Council that action on the interim rule request was suspended |
| Emergency Rule Request | 9/24/98 | | -Council requested Amendment 9 be implemented via emergency rule |
| Request not Implemented | 1/22/99 | | -NMFS informed the Council that the final rule for Amendment 9 would be effective 2/24/99; therefore they did not implement the emergency rule |

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| Amendment #9 (1998) | 2/24/99 | PR: 63 FR 63276<br>FR: 64 FR 3624 | -Red porgy: 14" length (recreational and commercial); 5 fish rec. bag limit; no harvest or possession > bag limit, and no purchase or sale, in March and April.<br>-Black sea bass: 10" length (recreational and commercial); 20 fish rec. bag limit; required escape vents and escape panels with degradable fasteners in bsb pots<br>-Greater amberjack: 1 fish rec. bag limit; no harvest or possession > bag limit, and no purchase or sale, during April; quota = 1,169,931 lbs; began fishing year May 1; prohibited coring<br>-Vermilion snapper: 11" length (recreational)<br>Gag: 24" length (recreational); no commercial harvest or possession > bag limit, and no purchase or sale, during March and April<br>-Black grouper: 24" length (recreational and commercial); no harvest or possession > bag limit, and no purchase or sale, during March and April.<br>-Gag and Black grouper: within 5 fish aggregate grouper bag limit, no more than 2 fish may be gag or black grouper (individually or in combination)<br>-All SG without a bag limit: aggregate recreational bag limit 20 fish/person/day, excluding tomtate and blue runners<br>-Vessels with longline gear aboard may only possess snowy, warsaw, yellowedge, and misty grouper, and golden, blueline and sand tilefish |
| Amendment #9 (1998) resubmitted | 10/13/00 | PR: 63 FR 63276<br>FR: 65 FR 55203 | -Commercial trip limit for greater amberjack |
| Regulatory Amendment #8 (2000) | 11/15/00 | PR: 65 FR 41041<br>FR: 65 FR 61114 | -Established 12 SMZs at artificial reefs off Georgia; revised boundaries of 7 existing SMZs off Georgia to meet CG permit specs; restricted fishing in new and revised SMZs |

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| Emergency Interim Rule | 09/08/99, expired 08/28/00 | 64 FR 48324 and 65 FR 10040 | -Prohibited harvest or possession of red porgy |
| Emergency Action | 9/3/99 | 64 FR 48326 | -Reopened the Amendment 8 permit application process |
| Amendment #10 (1998) | 07/14/00 | PR: 64 FR 37082 and 64 FR 59152 FR: 65 FR 37292 | -Identified EFH and established EFH-HAPCs for species in the SG FMU |

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| Amendment #11 (1998d) | 12/02/99 | PR: 64 FR 27952<br>FR: 64 FR 59126 | -MSY proxy: goliath and Nassau grouper = 40% static SPR; all other species = 30% static SPR<br>-OY: hermaphroditic groupers = 45% static SPR; goliath and Nassau grouper = 50% static SPR; all other species = 40% static SPR<br>-Overfished/overfishing evaluations:<br>BSB: overfished (MSST=3.72 mp, 1995 biomass=1.33 mp); undergoing overfishing (MFMT=0.72, F1991-1995=0.95)<br>Vermilion snapper: overfished (static SPR = 21-27%).<br>Red porgy: overfished (static SPR = 14-19%).<br>Red snapper: overfished (static SPR = 24-32%)<br>Gag: overfished (static SPR = 27%)<br>Scamp: no longer overfished (static SPR = 35%)<br>Speckled hind: overfished (static SPR = 8-13%)<br>Warsaw grouper: overfished (static SPR = 6-14%)<br>Snowy grouper: overfished (static SPR = 5=15%)<br>White grunt: no longer overfished (static SPR = 29-39%)<br>Golden tilefish: overfished (couldn't estimate static SPR)<br>Nassau grouper: overfished (couldn't estimate static SPR)<br>Goliath grouper: overfished (couldn't estimate static SPR)<br>-overfishing level: goliath and Nassau grouper = F>F40% static SPR; all other species: = F>F30% static SPR<br>Approved definitions for overfished and overfishing.<br>MSST = [(1-M) or 0.5 whichever is greater]*$B_{MSY}$.<br>MFMT = $F_{MSY}$ |
| Amendment #12 (2000) | 09/22/00 | PR: 65 FR 35877<br>FR: 65 FR | -Red porgy: MSY=4.38 mp; OY=45% static SPR; MFMT=0.43; MSST=7.34 mp; rebuilding timeframe=18 years (1999=year 1); no sale |

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| | | 51248 | during Jan-April; 1 fish bag limit; 50 lb. bycatch comm. trip limit May-December; modified management options and list of possible framework actions |
| Amendment #13A (2003) | 04/26/04 | PR: 68 FR 66069<br>FR: 69 FR 15731 | -Extended for an indefinite period the regulation prohibiting fishing for and possessing snapper grouper spp. within the *Oculina* Experimental Closed Area |
| Notice of Control Date | 10/14/05 | 70 FR 60058 | -The Council is considering management measures to further limit participation or effort in the commercial fishery for snapper grouper species (excluding Wreckfish) |
| Amendment #13C (2006) | 10/23/06 | PR: 71 FR 28841<br>FR: 71 FR 55096 | - End overfishing of snowy grouper, vermilion snapper, black sea bass, and golden tilefish. Increase allowable catch of red porgy. Year 1 = 2006.<br>1. Snowy Grouper Commercial: Quota (gutted weight) = 151,000 lbs gw in year 1, 118,000 lbs gw in year 2, and 84,000 lbs gw in year 3 onwards. Trip limit = 275 lbs gw in year 1, 175 lbs gw in year 2, and 100 lbs gw in year 3 onwards<br>Recreational: Limit possession to one snowy grouper in 5 grouper per person/day aggregate bag limit.<br>2. Golden Tilefish Commercial: Quota of 295,000 lbs gw, 4,000 lbs gw trip limit until 75% of the quota is taken when the trip limit is reduced to 300 lbs gw. Do not adjust the trip limit downwards unless 75% is captured on or before September 1<br>Recreational: Limit possession to 1 golden tilefish in 5 grouper per person/day aggregate bag limit.<br>3. Vermilion Snapper Commercial: Quota of 1,100,000 lbs gw<br>Recreational: 12” size limit.<br>4. Black Sea Bass Commercial: Commercial quota (gutted weight) of 477,000 lbs gw in year 1, 423,000 lbs gw in year 2, and 309,000 lbs gw in year 3 onwards. Require use of at least 2” mesh for the entire back panel of black sea bass pots |

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| | | | effective 6 months after publication of the final rule. Require black sea bass pots be removed from the water when the quota is met. Change fishing year from calendar year to June 1 – May 31<br>Recreational: Recreational allocation of 633,000 lbs gw in year 1, 560,000 lbs gw in year 2, and 409,000 lbs gw in year 3 onwards. Increase minimum size limit from 10" to 11" in year 1 and to 12" in year 2. Reduce recreational bag limit from 20 to 15 per person per day. Change fishing year from the calendar year to June 1 through May 31<br>5. Red Porgy Commercial and recreational<br>1. Retain 14" TL size limit and seasonal closure (retention limited to the bag limit);<br>2. Specify a commercial quota of 127,000 lbs gw and prohibit sale/purchase and prohibit harvest and/or possession beyond the bag limit when quota is taken and/or during January through April;<br>3. Increase commercial trip limit from 50 lbs ww to 120 red porgy (210 lbs gw) during May through December;<br>4. Increase recreational bag limit from one to three red porgy per person per day |
| Notice of Control Date | 3/8/07 | 72 FR 60794 | -The Council may consider measures to limit participation in the snapper grouper for-hire fishery |
| Amendment #14 (2007) Sent to NMFS 7/18/07 | 2/12/09 | PR: 73 FR 32281<br>FR: 74 FR 1621 | -Establish eight deepwater Type II marine protected areas (MPAs) to protect a portion of the population and habitat of long-lived deepwater snapper grouper species |
| Amendment #15A (2007) | 3/14/08 | 73 FR 14942 | - Establish rebuilding plans and SFA parameters for snowy grouper, black sea bass, and red porgy |
| Amendment #15B (2008b) | 2/15/10 | PR: 74 FR 30569<br>FR: 74 FR 58902 | - Prohibit the sale of bag-limit caught snapper grouper species<br>-Reduce the effects of incidental hooking on sea turtles and smalltooth sawfish<br>- Adjust commercial renewal periods and transferability requirements |

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| | | | - Implement plan to monitor and assess bycatch<br>- Establish reference points for golden tilefish<br>- Establish allocations for snowy grouper (95% com & 5% rec) and red porgy (50% com & 50% rec) |
| Amendment #16 (SAFMC 2008c) | 7/29/09 | PR: 74 FR 6297<br>FR: 74 FR 30964 | -Specify SFA parameters for gag and vermilion snapper<br>-For gag grouper: Specify interim allocations 51% com & 49% rec; rec & com spawning closure January through April; directed com quota=348,440 pounds gutted weight; reduce 5-grouper aggregate to 3-grouper and 2 gag/black to 1 gag/black and exclude captain & crew from possessing bag limit<br>-For vermilion snapper: Specify interim allocations 68% com & 32% rec; directed com quota split Jan-June=168,501 pounds gutted weight and 155,501 pounds July-Dec; reduce bag limit from 10 to 4 and a rec closed season October through May 15. In addition, the NMFS RA will set new regulations based on new stock assessment<br>-Require dehooking tools |
| Amendment #17A | 12/3/10 red snapper closure; circle hooks March 3, 2011 | PR: 75 FR 49447<br>FR: 75 FR 76874 | -Specify an ACL and an AM for red snapper with management measures to reduce the probability that catches will exceed the stocks' ACL<br>-Specify a rebuilding plan for red snapper<br>-Specify status determination criteria for red snapper<br>-Specify a monitoring program for red snapper |
| Amendment #17B | 1/31/11 | PR: 75 FR 62488<br>FR: 75 FR 82280 | -Specify ACLs, ACTs, and AMs, where necessary, for 8 species undergoing overfishing<br>-Modify management measures as needed to limit harvest to the ACL or ACT<br>-Update the framework procedure for specification of total allowable catch |
| Notice of Control Date | 12/4/08 | 74 FR 7849 | Establishes a control date for the golden tilefish fishery of the South Atlantic |

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| Notice of Control Date | 12/4/08 | 74 FR 7848 | Establishes control date for black sea bass pot fishery of the South Atlantic |
| Amendment 18 | TBD | TBD | -Limit participation and effort in the golden tilefish fishery<br>-Modifications to management of the black sea bass pot fishery<br>-Change the golden tilefish fishing year<br>-Improve the accuracy, timing, and quantity of fisheries statistics |
| Amendment 19 Comprehensive Ecosystem-Based Amendment 1 | July 22, 2010 | PR: 75 FR 14548<br>FR: 75 FR 35330 | -Establish deepwater coral HAPCs |
| Amendment 20 | TBD | TBD | -Update wreckfish ITQ according to reauthorized MSFCMA<br>-Establish ACLs, AMs, and management reference points for wreckfish fishery |
| Comprehensive ACL Amendment | TBD | TBD | -Establish ABC control rules, establish ABCs, ACTs, and AMs for species not undergoing overfishing<br>-Remove some species from South Atlantic FMUs<br>-Specify allocations among the commercial, recreational, and for-hire sectors for species not undergoing overfishing -Limit the total mortality for federally managed species in the South Atlantic to the ACTs<br>-Address spiny lobster issues |

**History of Management of Pelagic *Sargassum* Habitat**

The Fishery Management Plan for Pelagic *Sargassum* Habitat (SAFMC 2002) was approved in 2003 and established the following restrictions to protect Pelagic *Sargassum* Habitat in the South Atlantic:

(1) harvest and possession of *Sargassum* is prohibited south of the latitude line representing the North Carolina/South Carolina border, (2) all harvest is prohibited within 100 miles of shore between the 34 degrees North latitude line and the line representing the North Carolina/Virginia border, (3) harvest is limited to the months of November through June, (4) official observers are required on any harvesting trip, (5) an annual quota of 5,000 pounds landed wet weight, and (6) nets used to harvest *Sargassum* must be constructed of 4 ft stretch mesh or larger fitted to a frame no larger than 4 X 6 feet.

Other provisions of the plan include: Establishing the management unit for pelagic *Sargassum* throughout the South Atlantic exclusive economic zone (EEZ) and state waters. The management unit is the population of pelagic *Sargassum* occurring within the South Atlantic Council's area of jurisdiction along the U.S. Atlantic coast from the east coast of Florida, including the Atlantic side of the Florida Keys, to the North Carolina/Virginia Border and within state waters of North Carolina, South Carolina, Georgia, and the Florida East Coast. In addition, the following were established for pelagic *Sargassum*; a maximum sustainable yield , an optimum yield for pelagic *Sargassum* as 5,000 pounds wet weight per year and an overfishing level to meet Magnuson-Stevens Act mandate for pelagic *Sargassum*.

**The Fishery Management Plan for Coastal Migratory Pelagics in the Atlantic and Gulf of Mexico**

The Coastal Migratory Pelagics FMP was approved in 1982 and implemented in February, 1983. Managed species included king mackerel, Spanish mackerel, and cobia. The FMP treated king mackerel and Spanish mackerel as unit stocks in the Atlantic and Gulf of Mexico. The FMP established allocations for the recreational and commercial sectors harvesting these stocks, and the commercial allocations were divided between net and hook-and-line fishermen.

**Amendment 1,** with environmental impact statement (EIS), implemented in September 1985, provided a framework procedure for pre-season adjustment of total allowable catch (TAC), revised king mackerel maximum sustainable yield (MSY) downward, recognized separate Atlantic and Gulf migratory groups of king mackerel, and established fishing permits and bag limits for king mackerel. Commercial allocations among gear users, except purse seines that were allowed 6% of the commercial allocation of TAC, were eliminated. The Gulf commercial allocation for king mackerel was divided into Eastern and Western Zones for the purpose of regional allocation, with 69% of the remaining allocation provided to the Eastern Zone and 31% to the Western Zone. Amendment 1 also established minimum size limits for Spanish mackerel at 12 inches fork length (FL) or 14 inches total length (TL) and for cobia at 33 inches FL or 37 inches TL.

**Amendment 2**, with environmental assessment (EA), implemented in July1987, revised Spanish mackerel MSY downward, recognized two migratory groups, established allocations of TAC for the commercial and recreational sectors, and set commercial quotas and bag limits. Charterboat permits were required, and it was clarified that TAC must be set below the upper range of acceptable biological catch (ABC). The use of purse seines on overfished stocks was prohibited, and their allocation of TAC was redistributed under the 69%/31% split.

**Amendment 3,** with EA, was partially approved in August 1989, revised, resubmitted, and approved in April 1990. It prohibited drift gill nets for coastal pelagics and purse seines for the overfished groups of mackerels.

**Amendment 4**, with EA, implemented in October 1989, reallocated Spanish mackerel equally between recreational and commercial fishermen on the Atlantic group.

**Amendment 5**, with EA, implemented in August 1990, made the following changes in the management regime:
· Extended the management area for Atlantic groups of mackerels through the Mid-Atlantic Council's area of jurisdiction;
· Revised problems in the fishery and plan objectives;
· Revised the fishing year for Gulf Spanish mackerel from July-June to April-March;
· Revised the definition of "overfishing";
· Added cobia to the annual stock assessment procedure;
· Provided that the South Atlantic Fishery Management Council will be responsible for pre-season adjustments of TACs and bag limits for the Atlantic migratory groups of mackerels while the Gulf of Mexico Fishery Management Council (GMFMC) will be responsible for Gulf migratory groups;
· Continued to manage the two recognized Gulf migratory groups of king mackerel as one until management measures appropriate to the eastern and western groups can be determined;
· Re-defined recreational bag limits as daily limits;
· Deleted a provision specifying that bag limit catch of mackerel may be sold;
· Provided guidelines for corporate commercial vessel permits;
· Specified that Gulf group king mackerel may be taken only by hook-and-line and run-around gill nets;
· Imposed a bag and possession limit of two cobia per person per day;
· Established a minimum size of 12 inches (30.5 cm.) fork length (FL) or 14 inches (35.6 cm.) total length (TL) for king mackerel and included a definition of "conflict" to provide guidance to the Secretary.

**Amendment 6**, with EA, implemented in November of 1992, made the following changes:
· Identified additional problems and an objective in the fishery;
· Provided for rebuilding overfished stocks of mackerels within specific periods;
· Provided for biennial assessments and adjustments;
· Provided for more seasonal adjustment actions;
· Allowed for Gulf king mackerel stock identification and allocation when appropriate;
· Provided for commercial Atlantic Spanish mackerel possession limits;
· Changed commercial permit requirements to allow qualification in one of three preceding years;
· Discontinued the reversion of the bag limit to zero when the recreational quota is filled;
· Modified the recreational fishing year to the calendar year; and
· Changed the minimum size limit for king mackerel to 20 inches FL, and changed all size limit measures to fork length only.

**Amendment 7,** with EA, implemented in November 1994, equally divided the Gulf commercial allocation in the Eastern Zone at the Dade-Monroe County line in Florida. The sub-allocation for the area from Monroe County through Western Florida is equally divided between commercial hook-and-line and net gear users.

**Amendment 8,** with EA, implemented March 1998, made the following changes to the management regime:
• Clarified ambiguity about allowable gear specifications for the Gulf group king mackerel fishery by allowing only hook-and-line and run-around gill nets. However, catch by permitted, multi-species vessels and bycatch allowances for purse seines were maintained;
• Established allowable gear in the SAFMC and Mid Atlantic Fishery Management Council (MAFMC) areas as well as providing for the RA to authorize the use of experimental gear;
• Established the councils' intent to evaluate the impacts of permanent jurisdictional boundaries between the GMFMC and SAFMC and development of separate FMPs for coastal pelagics in these areas;
• Established a moratorium on commercial king mackerel permits until no later than October 15, 2000, with a qualification date for initial participation of October 16, 1995;
• Increased the income requirement for a king or Spanish mackerel permit to 25% of earned income or $10,000 from commercial sale of catch or charter or head boat fishing in 1 of the 3 previous calendar years, but allowed for a 1-year grace period to qualify under permits that are transferred;
• Legalized retention of up to 5 cut-off (damaged) king mackerel on vessels with commercial trip limits;
• Set an optimum yield OY target at 30% static spawning potential ratio (SPR) for the Gulf and 40% static SPR for the Atlantic;
• Provided the SAFMC with authority to set vessel trip limits, closed seasons or areas, and gear restrictions for Gulf group king mackerel in the North Area of the Eastern Zone (Dade/Monroe to Volusia/Flagler County lines);
• Established various data consideration and reporting requirements under the framework procedure;
• Modified the seasonal framework adjustment measures and specifications (see Appendix I);
• Expanded the management area for cobia through the MAFMC's area of jurisdiction (New York).

**Amendment 9**, with EA, implemented in April 2000, made the following changes to the management regime:
• Reallocated the percentage of the commercial allocation of TAC for the North Area (Florida east coast) and South/West Area (Florida west coast) of the Eastern Zone to 46.15% North and 53.85% South/West and retained the recreational and commercial allocations of TAC at 68% recreational and 32% commercial;
• Subdivided the commercial hook-and-line king mackerel allocation for the Gulf group, Eastern Zone, South/West Area (Florida west coast) by establishing 2 subzones with a dividing line between the 2 subzones at the Collier/Lee County line;
• Established regional allocations for the west coast of Florida based on the 2 subzones with 7.5% of the Eastern Zone allocation of TAC being allowed from Subzone 2 and the remaining 92.5% being allocated as follows:

50% - Florida east coast
50% - Florida west coast that is further subdivided:
50% - Net Fishery
50% - Hook-and-Line Fishery
• Established a trip limit of 3,000 pounds per vessel per trip for the Western Zone
• Established a moratorium on the issuance of commercial king mackerel gill net endorsements and allow re-issuance of gill net endorsements to only those vessels that: (1) had a commercial mackerel permit with a gill net endorsement on or before the moratorium control date of October 16, 1995 (Amendment 8), and (2) had landings of king mackerel using a gill net in one of the two fishing years 1995-96 or 1996-97 as verified by the National Marine Fisheries Service (NMFS) or trip tickets from the Florida Department of Environmental Protection; allowed transfer of gill net endorsements to immediate family members (son, daughter, father, mother, or spouse) only; and prohibited the use of gill nets or any other net gear for the harvest of Gulf group king mackerel north of an east/west line at the Collier/Lee County line
• Increased the minimum size limit for Gulf group king mackerel from 20 inches to 24 inches FL;
• Allowed the retention and sale of cut-off (damaged), legal-sized king and Spanish mackerel within established trip limits.

**Amendment 10,** with (Supplemental Environmental Impact Statement (SEIS), approved June 1999, identified essential fish habitat (EFH) and EFH-HAPCs for species in the CMP FMU.

**Amendment 11**, with SEIS, partially approved in December 1999, included proposals for mackerel in the SAFMC's Comprehensive Amendment Addressing Sustainable Fishery Act Definitions and other Provisions in Fishery Management Plans of the South Atlantic Region.

**Amendment 12**, with EA, implemented October 2000, extended the commercial king mackerel permit moratorium from its current expiration date of October 15, 2000 to October 15, 2005, or until replaced with a license limitation, limited access, and/or individual fishing quota or individual transferable quota system, whichever occurs earlier.

**Amendment 13**, with SEIS, implemented August 19, 2002 established two marine reserves in the EEZ of the Gulf in the vicinity of the Dry Tortugas, Florida known as Tortugas North and Tortugas South in which fishing for coastal migratory pelagic species is prohibited. This action complements previous actions taken under the National Marine Sanctuaries Act.

**Amendment 14**, with EA, implemented July 29, 2002, established a 3-year moratorium on the issuance of charter vessel and head boat Gulf group king mackerel permits in the Gulf unless sooner replaced by a comprehensive effort limitation system. The control date for eligibility was established as March 29, 2001. Also includes other provisions for eligibility, application, appeals, and transferability.